

UXBRIDGE TOWN CHARTER

ARTICLE 4 TOWN MANAGER

SECTION 1: APPOINTMENT; QUALIFICATION; TERM

The Board of Selectmen shall appoint a Town Manager from a list prepared by a Screening Committee at the inception of this Charter as provided in Article 8, Section 3, and subsequent appointments shall be made by the Board of Selectmen alone. The Board of Selectmen shall appoint the Town Manager to serve at the pleasure of the Board and who shall be the Chief Administrative Officer of the Town. The Town Manager shall be appointed on the basis of demonstrated executive and administrative ability. The Town Manager shall be a person deemed to be qualified by education, training and previous experience to perform the duties of the office.

The Town Manager is responsible to the people of Uxbridge and is charged with providing for the efficient, effective and economical operation of all governmental agencies and personnel under the control and supervision of the Town Manager.

The Town Manager shall attend and shall be a non-voting active participant in meetings of the Board of Selectmen.

A Town Manager need not be resident of the Town or of the Commonwealth. The Town Manager shall not have served as a member of the Board of Selectmen in the Town government for at least twelve months prior to appointment. The Town may, from time to time, establish by bylaw, such additional qualifications as seem necessary and proper.

The Town Manager shall devote full time to the office and shall not hold any other public office, elective or appointive, nor be actively engaged in any other business or occupation during such service unless such action is approved in advance and in writing by the Board of Selectmen.

The Board of Selectmen shall provide for an annual review of the job performance of the Town Manager which shall, at least in summary form, be a public record.

SECTION 2: POWERS AND DUTIES

The powers and duties of the Town Manager shall include, but are not intended to be limited to, the following:

- A. To supervise, direct and be responsible for the efficient administration of all functions and activities for which the Office of Town Manager is given authority, responsibility or control by this Charter, by bylaw, by Town Meeting vote, by vote of the Board of Selectmen or otherwise. In furtherance of these duties, the Town Manager may inquire, at any time, into the conduct or performance of duties of any officer or employee, department, board, commission or other Town agency.
- B. To appoint, to remove, subject to applicable statutory provisions or collective bargaining agreements, all department heads, officers, members of boards and commissions and employees for whom no other method of selection or removal is provided by this Charter or bylaw. Copies of the notices of all such appointments shall be posted on the Town bulletin board.
- C. To administer a Town personnel system including, but not by way of limitation to, personnel policies and practices, rules, and regulations, including provisions for an annual employee performance review, personnel bylaw, and collective bargaining agreements entered into by the Town. The Town Manager shall also prepare and keep current a plan establishing the personnel staffing requirements for each Town

agency except the School Department.

- D. To fix, subject to appropriations, the compensation of all officers and employees appointed by the Town Manager unless such compensation is otherwise fixed.
- E. To be responsible for the maintenance and repair of all Town buildings and facilities placed under the Town Manager's control by this Charter, by bylaw, by vote of the Town or otherwise.
- F. To negotiate all contracts involving any subject within the jurisdiction of the office of Town Manager, including contracts with Town employees, involving wages, hours, and other terms and conditions of employment.
- G. To be responsible for the purchase and disposal of all supplies, materials and equipment for all departments and activities of the Town unless otherwise provided by statute or bylaw.
- H. To reorganize, consolidate, or abolish, in the manner provided in Article 5, Section 1(A), Town agencies serving under the supervision of the Town Manager, in whole or in part, provide for new Town agencies and provide for a reassignment of powers, duties, and responsibilities among such agencies so established or existing.
- I. To coordinate the activities of all Town agencies serving under the Office of Town Manager and the Office of Board of Selectmen with those under the control of other officers and multiple member bodies elected directly by the voters. For this purpose, the Town Manager shall have authority to require the persons so elected, or their representatives, to meet with the Town Manager at reasonable times, for the purpose of effecting coordination and cooperation among all agencies of the Town.
- J. To perform any other duties as required to be performed by the Town Manager by bylaws, administrative code, votes of the Town Meeting, or votes of the Board of Selectmen or otherwise.

SECTION 3: DELEGATION OF AUTHORITY

The Town Manager may authorize any subordinate officer or employee to exercise any power or perform any function or duty which is assigned to the Office of Town Manager provided, however, that all acts performed under any such delegation shall at all times be deemed to be the acts of the Town Manager.

SECTION 4: ACTING TOWN MANAGER

Temporary Absence - By letter filed with the Town Clerk, the Town Manager, with the approval of the Board of Selectman, shall designate a qualified Town administrative officer or employee to exercise the powers and perform the duties of Town Manager during a temporary absence.

Vacancy - Any vacancy in the office of Town Manager shall be filled as soon as possible by the Board of Selectmen in the manner provided in Article 4, Section 1, but pending such regular appointment, the Board of Selectmen shall appoint a qualified Town administrative officer or employee to perform the duties of the Office on an acting basis. Such temporary appointment may not exceed three months but one renewal may be voted by the Board of Selectmen not to exceed a second three months. Compensation for such person shall be set by the Board of Selectmen.

SECTION 5: REMOVAL AND SUSPENSION

The Board of Selectmen, by the affirmative votes of three or more members, may terminate and remove, or suspend, the Town Manager from office in accordance with the following procedure:

- A. Board members shall not be eligible to vote under this provision until in office for a minimum of one year.

- B. The Board of Selectmen shall adopt a preliminary resolution of removal by the affirmative vote of at least three of its members which must state the reason or reasons for removal. This preliminary resolution may suspend the Town Manager for a period not to exceed forty-five days. A copy of the resolution shall be delivered to the Town Manager forthwith.
- C. Within five days after receipt of the preliminary resolution, the Town Manager may request a hearing by filing a written request for such hearing with the Board of Selectmen. This hearing shall be held at a meeting of the Board of Selectmen not later than thirty days after the request is filed, not earlier than twenty days. The Town Manager may file a written statement responding to the reasons stated in the resolution of removal with the Board of Selectmen provided the same is received at its office more than forty-eight hours in advance of the hearing.
- D. The Board of Selectmen may adopt a final resolution of removal, which may be made effective immediately, by the affirmative votes of three of its members not less than ten nor more than twenty-one days following the date of delivery of a copy of the preliminary resolution to the Town Manager, if the Town Manager has not requested a hearing; or, within ten days following the close of the hearing if the Town Manager has requested one. Failure to adopt a final resolution of removal within the time periods as provided in this section shall nullify the preliminary resolution of removal and the Town Manager shall, at the expiration of said time, forthwith resume the duties of the Office.

The Town Manager shall continue to receive a salary until the effective date of a final resolution of removal.

The action of the Board of Selectmen in suspending or removing the Town Manager shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such suspension or removal solely in the Board of Selectmen.